IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1625 of 2001

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BIPINCHANDRA JAMNADAS BAGDAI

Versus

BHARATBHAI BHIKHABHAI MAKWANA

Appearance:

1. Special Civil Application No. 1625 of 2001

MR HARIN P RAVAL for Petitioner No. 1-6

MR RAVINDRA SHAH for Respondent No. 1-2

NOTICE SERVED BY DS for Respondent No. 1

RULE SERVED BY DS for Respondent No. 3-18

DS AFF.NOT FILED (R) for Respondent No. 19-24

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 02/12/2004

ORAL JUDGEMENT

1. The petitioners herein have preferred this petition in order to quash and set aside the impugned judgment and order dated 13/02/2001 passed by the Gujarat State Co-operative Tribunal in Appeal No.674 of 1998 arising from the judgment and order dated 17/10/1998 passed by the Board of Nominees, Rajkot.

2. The term of the elected members has expired and by way of ad-interim relief, the petitioners were allowed to continue in the Board of Directors of the Bank.

3. Therefore, in view of the fact that the term of the bye-law is over and the petitioners were permitted to continue as the Board of Directors in respondent no.3 Bank, Rule is made absolute in terms of the ad-interim relief granted. The petition accordingly stands allowed to the aforesaid extent.

(K. S. Jhaveri, J.)

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